

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

In re:)	CHAPTER 11
)	
)	
CIRCUIT CITY STORES, INC., et. al.)	Case No. 08-35653-KRH
)	Jointly Administered
Debtors.)	
)	
_____)	
HILLSBOROUGH COUNTY,)	
a political subdivision)	
of the State of Florida,)	
Movant,)	
)	
v.)	
)	
CIRCUIT CITY STORES, INC., et al.,)	
Respondents.)	

**AGREED ORDER GRANTING MOTION FOR RELIEF
FROM AUTOMATIC STAY OF 11 U.S.C. § 362(A)**

This day came Hillsborough County, a political subdivision of the State of Florida, (the “Movant”), by counsel, and the Debtors, Circuit City Stores, Inc. (the “Debtors”), also by counsel, upon the Movant’s Motion for Relief of Automatic Stay filed herein by the Movant. Accordingly, upon consideration of the limited and specific relief requested by the Movant;

WHEREUPON, it appearing that the Debtors have an ownership interest in certain real property located at 18061 Highwoods Preserve, Tampa, Florida 33647, (property identification number A-14-27-19-1AS-000000-000A2.0), recorded in the

county plat book 0083, page number 0041, and known as Division B, Parcel 708, ("Parcel 708"), and with respect to Parcel 708 Movant has filed a pre-petition Eminent Domain and Declaration of Taking Action in the Circuit Court of Thirteenth Judicial Circuit in and for Hillsborough County, State of Florida – Civil Division, ("State Court"), Case Number 08-22694, ("State Action"), whereby in consideration for a temporary construction easement, the Debtors will recover from Movant the total sum of Two Thousand, Five Hundred Dollars and No Cents (\$2,500.00) in full compensation for any and all claims, including any property interests taken, business damages and all other damages claimed by the Debtors;

AND, it also appearing that the parties have agreed to the entry of a Joint Motion For Stipulated Final Judgment and Order as to Parcel 708 so as to permit Movant to perfect the Taking pursuant to the State Action;

AND, it appearing the portion of Parcel 708 subject to the State Action is not property necessary to an effective reorganization of the debtors;

AND, it being right and proper to do so for good cause shown,

IT IS SO ORDERED that the automatic stay of 11 U.S.C. §362(a) is hereby TERMINATED AND LIFTED immediately so as to permit the Circuit Court of the Thirteenth Judicial Circuit in and for the Hillsborough County State of Florida – Civil Division, to proceed with the pending Eminent Domain and Taking Action, and endorse and enter the Joint Motion for Stipulated Final Judgment and Order as to Parcel 708, and any other order(s) which are related and necessary to that cause, and to retain jurisdiction solely for enforcement of that Taking Action;

IT IS FURTHER ORDERED, that that the automatic stay is hereby terminated with respect to Movant's rights to and interest in Parcel 708 and Movant is authorized to fully exercise and enforce all of its rights to and interests therein without the filing of any Notice(s), and without further Order of this Court; and that all applicable waiting periods are waived, and that this Order shall be forward to counsel of record, including the Office of the U.S. Trustee.

Date: _____

By the Court:

The Honorable Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

Order Entered on Docket: _____

I ASK FOR THIS:

/s/ P. Matthew Roberts
P. Matthew Roberts, VSB 70259
Berkeley & DeGaetani
1301 N. Hamilton St., Suite 200
Richmond, Virginia 23230-3959
(804) 644-0345
(804) 648-1909 (facsimile)
Counsel for Hillsborough County



SEEN AND AGREED:

/s/ Daniel F. Blanks
Daniel F. Blanks, VSB No. 48108
McGuire Woods LLP
9000 World Trade Center
101 W. Main Street
Norfolk, VA 23510
Fax: (757) 640-3957
Counsel for the Debtors

**CERTIFICATION IS HEREBY MADE THAT THE FOREGOING ORDER WAS
ENDORSED BY AND/OR SERVED UPON ALL NECESSARY PARTIES
PURSUANT TO LOCAL RULE 9022-1(C).**

/s/ P. Matthew Roberts

P. MATTHEW ROBERTS

COPIES OF THIS ORDER ARE TO BE SENT TO:

Daniel F. Blanks, Esquire
Douglas M. Foley, Esquire
McGuire Woods LLP
9000 World Trade Center
101 W. Main Street
Norfolk, VA 23510
Counsel for the debtors

P. Matthew Roberts, VSB 70259
Berkeley & DeGaetani
1301 N. Hamilton St., Suite 200
Richmond, Virginia 23230-3959
Counsel for Hillsborough County

Dion W. Hayes, Esquire
James S. Sheerin, Esquire
Sarah Beckett Boehm, Esquire
McGuire Woods LLP
One James Center
901 E. Cary Street
Richmond, VA 23219
Counsel for the debtors

Gregg M. Galardi, Esquire
Skadden Arps Slate Meagher & Flom,
LLC
One Rodney Square
P.O. Box 636
Wilmington, Delaware 19899-0636
Counsel for the debtors

Chris L. Dickerson, Esquire
Kellan Grant, Esquire
Skadden Arps Slate Meagher & Flom,
LLC
333 West Wacker Drive
Chicago, IL 60606
Counsel for the debtors

Robert Van Arsdale, Esquire
Assistant U.S. Trustee
Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219
Office of the U.S. Trustee

Linda K. Myers, Esquire
Kirkland & Ellis, LLP
200 East Randolph Drive
Chicago, Illinois 60601
Special Counsel for the Debtors

Lynn L. Tavenner, Esquire
Tavenner & Beran, PLC
20 North Eighth Street, Second Floor
Richmond, Virginia 23219
By: *Counsel for the Official Committee of
Unsecured Creditors*